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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Foundation of Japanese Honorary Debts, a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Japan's war crimes

In January 2015 CNN and NHK quoted the Prime Minister of Japan as saying, regarding the beheadings by Islamic State of two Japanese hostages:

"We are deeply saddened by this despicable and horrendous act of terrorism and we denounce it in the strongest terms. To the terrorists, we will never, never forgive them for this act."

In stating this, did the Prime Minister of Japan realize that the Japanese Military violated human rights in exactly the same way during World War II? The Japanese military used the beheading of innocent civilians and soldiers as a way to suppress and to frighten the people of the occupied territories in South East Asia.

Was the statement by the Japanese Prime Minister a political one or was it the beginning of Japans' acknowledgement of the human rights violations during World War II by Japanese military in South East Asia?

At that time, Netherlands citizens in the former Netherlands East Indies (now Indonesia) were subjected to organised terror by the military, including but not limited to enforced sex slavery and other forms of slavery, torture, intimidation, harsh disciplines, systematic starvation and denial of medicine. Many died. Of the surviving victims many suffered from incurable disorders. All cannot forget their ordeal and continue to live with traumas and other health problems.

Among the surviving victims some lost one or more relatives because they were beheaded by the Japanese Military. The pictures of the beheaded Japanese hostages that were posted by IS in January 2015 remind them of these cruel acts and reinforce their demands that Japan acknowledge their war crimes during World War II.

Between 1945 and 1951 Allied Military Court-Martials throughout the Far East condemned 920 Japanese military to death and sentenced some 3,000 others to prison terms. The accused had been found guilty of war crimes. From 1946 to 1948 the International Military Tribunal of Tokyo tried and sentenced 25 "major" Japanese war criminals – TOJO and company – for plotting and waging the Pacific War. In Netherlands East Indies (now Indonesia) during 1946 – 1948 the Temporary Courts Martial tried 986 persons excluding minor war criminals. The Temporary Court Martial of Batavia tried 111 war criminal cases with 352 defendants. 64 received the death penalty.

Many cases were tried by the Batavia Court Martial including the well-known Semarang case: coercion into prostitution of Netherlands girls and women forcefully recruited by the Japanese military from concentration camps.

A substantial number of cases tried by the Batavia Court concern the way in which Japanese military commanders administrated a regime of terror and maltreatment in the POW and civilian camps. When the end of the war came in sight Tokyo Headquarters issued the order to kill all, leave no traces, to cover up the violations of human rights methodically carried out by the Japanese military.

Other cases concern the Kempeitai Java. Their prime objective was to enforce confessions from arrested suspects through systematic terror and torture and involved local people in the process. The Martial Court Batavia spent considerable time on the Kempeitai Bondowoso/Djember case. 18 members of the Kempeitai Djember were accused. 2 were acquitted, the others were declared guilty. 6 were condemned to the death penalty and the other 10 got long prison sentences.

The Djember Kempeitai investigated espionage and the preparation for a possible landing by Allied forces in East Java. They rounded up some 30 suspects, who were interrogated by the Kempeitai. At the same time the Kempeitai in Djember investigated alleged espionage by a number of planters (owners or employees of agricultural enterprises).

The results of both investigations were delivered to the Kempeitai headquarters and the headquarters of the 16th Japanese army, both in Batavia. Shortly thereafter the commanding officer of the Kempeitai in Djember received the order to execute them all.

The Kempeitai used the most horrendous methods of torture and intimidation to extract confessions. The Court concluded that the Kempeitai Djember was the worst of all the Kempeitai offices. In accordance with the The Hague convention of 1907 they violated the laws and customs of war and other internationally accepted conventions and routinely committed war crimes of the worst kind.

Members of the Foundation of Japanese Honorary Debts demonstrate each second Tuesday of the month at the Japanese Embassy in The Hague, The Netherlands. During the demonstration the Board is received by the Ambassador handing over a petition, already 243 in number, addressed to the Prime Minister of Japan requesting acknowledgment of the plight of the Netherlands citizens from former Netherlands East Indies and seeking acceptance of the moral obligation of Japan to redress its past. The Prime Minister of Japan has up to now never responded to any of these petitions.

The present Prime Minister of Japan Mr. Shinzo Abe is well aware of the violations by the Imperial Army of Japan during World War II. He appears to want to cover these up by starting a public relations campaign in marking the end of World War II as "70 years since atomic bombings", forgetting the Asian Holocaust the Japanese military caused in South East Asia.

In the February 2015 petition by the Foundation of Japanese Honorary Debts addressed to the Japanese Prime Minister we express our condolences for the barbaric beheading of the Japanese hostages by IS. At the same time we ask the Japanese Prime Minister not to forget the needs of those Netherlands survivors who suffer from the same traumatic memories as the families and friends of the Japanese beheaded hostages.

Japan continues to deny responsibility on the grounds that they were absolved by the 1951 San Francisco Peace Treaty. However violations of the 1907 The Hague Convention IV, respecting the Laws and customs of War on Land does not absolve Japan to admit guilt, apologize and pay compensation to the individual victims.

The Foundation of Japanese Honorary Debts on behalf of all the victims of Japanese military suppression and terror, requests the Human Rights Council, with reference to the recent statement by the Japanese Prime Minister regarding the beheading of Japanese hostages by Islamic State, to ensure that Japan accepts immediate responsibility for similar terrorist acts and violations of human rights during the occupation of South East Asia by the Japanese military and accepts that the 1907 The Hague convention was then and is still applicable.